

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 3:04-CR-03

DWAINE WRIGHT,

Defendant.

AMENDED JUDGEMENT ENTRY
REDUCING DEFENDANT'S SENTENCE

This matter is now before the Court pursuant to the remand of the Sixth Circuit reversing the district court's order denying the defendant's second § 2255 petition. The Sixth Circuit found defendant does not qualify as an armed career criminal and therefore should be re-sentenced.

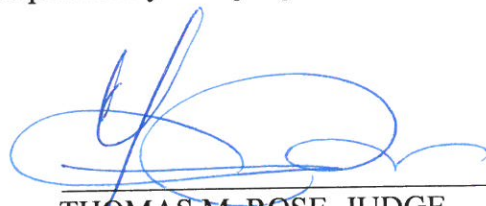
Therefore, the COURT ORDERS that the defendant's original sentence in the Judgment Order (doc. 126) filed October 19, 2014, be amended to:

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of one hundred and twenty month (120) months. Defendant having served his time is ordered to be immediately released. After consideration of the factors of sentencing 18 U.S.C. § 3553(A)(1) through (A)(7) and upon release from imprisonment, he shall serve a term of three (3) years of Supervised Release. He shall participate in a in a program of treatment, either inpatient or outpatient, and testing for substance abuse, as directed by the U.S. Probation Office. The defendant shall make a co-payment for treatment services not to exceed \$25 per month, which is determined by the defendant's ability to pay. He shall participate in a mental health treatment program at the direction of the probation officer. The defendant shall make a co-payment for treatment services not to exceed \$25 per month, which is determined by the defendant's ability to pay.

Except as noted all other provisions of the previously filed judgment shall remain in effect.

IT IS SO ORDERED.

Date: 11-17-17



THOMAS M. ROSE, JUDGE
UNITED STATES DISTRICT COURT